

SPECIAL REGULAR COUNCIL MEETING  
Tuesday, October 22, 2013  
Immediately following the 4:30 p.m. Council Work Session  
Council Meeting Room

AGENDA

1. ROLL CALL.

2. RESOLUTION

Approving, Contingent Upon Voter Approval, an Annual Assessment of 16 Mills Against Assess Value of Real Property Within the Downtown Development District.

3. ADJOURNMENT.

October 18, 2013

MEMO TO: John C. Patterson, City Manager

FROM: V.H. McDonald, CPA – Administrative Services Director 

SUBJECT: Casper Downtown Development District Property Assessment for Specified Expenditures

Recommendation:

That the City Council, by resolution, approve, contingent upon voter approval, an annual assessment of sixteen (16) mills against the assessed value of non-residential property within the Downtown Development District to be used for specified purposes.

Summary:

For several years, funding for the Casper Downtown Development Authority (DDA) and for other downtown related expenditures has been obtained through provisions of Wyoming statutes that, through an election process, annually assesses non-residential property located within the boundaries of the Downtown Development District. Such property can be assessed up to thirty (30) mills for the following specific purposes:

- Administrative costs;
- Landscaping or maintenance of public areas;
- Planning or management of development or improvement activities;
- Promotion of public events; and,
- Activities in support of business recruitment and development.

This assessment expires in four years unless reauthorized by the City Council, with the current four year period commencing in 2010 and expiring 2013.

The DDA has requested that the City Council consider reauthorizing the current 16 mill assessment through the election process for another four years. If Council approves the reauthorizing of the assessment, DDA staff has made the necessary arrangements, including publishing notice of the election, to hold the required election on November 5, 2013.

A resolution has been prepared for Council's consideration.

## RESOLUTION NO.

A RESOLUTION APPROVING, CONTINGENT UPON VOTER APPROVAL, AS PROVIDED IN W.S. SECTION 15-9-217(b), AN ANNUAL ASSESSMENT OF SIXTEEN (16) MILLS AGAINST THE ASSESSED VALUE OF REAL PROPERTY WITHIN THE DOWNTOWN DEVELOPMENT DISTRICT, EXCLUDING REAL PROPERTY USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE, AND THE CITY CLERK TO ATTEST THERETO.

WHEREAS, the Downtown Development Authority has been formed in downtown Casper by Chapter 2.36 of the Casper Municipal Code, with the boundaries of the District specified therein; and,

WHEREAS, an assessment on property valuation against real property located within the District is authorized by Wyoming Statutes Section 15-9-217(b), the funds generated thereby to be used for the purposes specified in Sections 15-9-201 through 15-9-223 of the Wyoming Statutes; and

WHEREAS, the governing body of the City of Casper finds that the question of whether real property within the District should be assessed should be submitted to a vote of the owners of the real property located within the District as provided by law.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

1. The Casper City Council hereby approves, contingent upon voter approval, as provided in W.S. Section 15-9-217(b) an annual assessment of sixteen (16) mills against the assessed value of real property within the Downtown Development District, excluding real property used exclusively for residential purposes.
2. An election for the levy of an annual special assessment of sixteen (16) mills against the assessed value of real property within the Downtown Development Authority, excluding real property used exclusively for residential purposes, shall be held on Tuesday, November 5, 2013, at the Office of the Natrona County Clerk, Natrona County Courthouse, Wyoming, 200 North Center Street, Casper, Wyoming, between the hours of 8:00 a.m. and 5:00 p.m. Notification of the election shall be published in a newspaper of general circulation in the City of Casper at least twice, and not more than thirty (30) nor more or less than fifteen (15) days before the election. The notice shall be in the following form: An election for the levy and annual special assessment of sixteen (16)

mills against the assessed value of real property, excluding that used exclusively for residential purposes within the boundaries of the Downtown Development District, which are as follows:

Beginning at the southeast corner of the intersection of West "C" Street and Market Street; thence south along the east right-of-way line of Market Street to the north right-of-way line of West "B" Street; thence west along the north right-of-way line of West "B" Street to the east of the right-of-way line of North David Street; thence south along the east right-of-way line of North David Street to the north right-of-way line of West Yellowstone Highway; thence southwesterly along the north right-of-way line of West Yellowstone Highway to the west right-of-way line of Ash Street; thence south along the west right-of-way line of Ash Street to the southeast corner of Lot 18, Block 19, Casper Addition; thence west a distance of 66 feet; thence north a distance of 55 feet; thence east a distance of 32 feet; thence north a distance of 64 feet to the south right-of-way line of West Yellowstone Highway; thence southwest to the northwest corner of Lot 19, Block 19, Casper Addition; thence south a distance of 125 feet to the southwest corner of the north 55 feet of Lot 17, Block 19, Casper Addition; thence east to the west right-of-way line of Ash Street; thence south along the west right-of-way line of Ash Street to the north right-of-way line of Collins Drive; thence northeasterly along the north right-of-way line of Collins Drive to the west right-of-way line of South Kimball Street; thence north along the west right-of-way line of Kimball Street to the north right-of-way line of East "A" Street; thence west along the north right-of-way line of East "A" Street to the west right-of-way line of Durbin Street; thence north along the west right-of-way line of Durbin Street to the northeast corner of Lot 15, Block 56, Casper Addition; thence west to the west right-of-way line of the alley in Block 56, Casper Addition; thence north along the west right-of-way line of the alley in Block 56, Casper Addition, to the northeast corner of Lot 2, Block 56, Casper Addition; thence west along the north property line of Lot 2, Block 56, Casper Addition, to the southeast corner of Lot 24, Block 55, Casper Addition, thence north along the east property line of Lot 24, Block 55, Casper Addition; to the northeast corner of said lot; thence westerly along the north property line of Lots 1 and 24, Block 55, Casper Addition; thence continuing westerly along the southerly line of "C" Street to the point of beginning.

shall be held, Tuesday, November 5, 2013, at the Office of the Natrona County Clerk, Natrona County Courthouse, 200 North Center, Casper, Wyoming, between the hours of 8:00 a.m. and 5:00 p.m. The question to be considered at said election is: "Shall the properties within the boundaries of the Downtown Development Authority, excluding real property used exclusively for residential purposes, be assessed sixteen (16) mills against assessed values of such property to be expended for any of the following purposes:

- A. Administrative costs for the Downtown Development Authority;
  - B. Landscaping or maintenance of public areas;
  - C. Planning or management of development or improvement activities;
  - D. Promotion of public events; and,
  - E. Activities in support of business recruitment and development.
3. Eligible voters in said election shall be any person owning real property within the Downtown Development Authority boundaries, excluding real property used exclusively for residential purposes.
  4. A person is defined as any individual partnership, corporation, joint stock company, or any other association or entity, public or private.
  5. Owning real property is defined as owning in fee any undivided interest in real property or any improvement permanently affixed thereto, including a contract purchaser obligated to pay general taxes, an heir or a devisee under a will admitted to probate but not including a contract seller of property with respect to which the contract purchaser is deemed to be the owner in fee.
  6. Each such owner shall be allowed only one vote regardless of the number of properties owned by such owner within the authority. Each owner other than a sole individual must designate an individual as his representative to vote and must be prepared to certify his or other authority to cast a vote for such non-individual owners.
  7. Proof of ownership of real property shall be made by sworn affidavit executed at the time of voting.
  8. That all actions taken in notifying the Natrona County Clerk of the pendency of this election are hereby approved and ratified.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute, and the City Clerk to attest, this resolution.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of October, 2013.

Approved as to Form:



ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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V. H. McDonald  
City Clerk

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Kenyne Schlager  
Mayor